



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,587	10/04/2001	John Pitts	60,469-053; OT-4987	1199
7590	09/22/2004			EXAMINER CHARLES, MARCUS
Theodore W. Olds CARLSON, GASKEY & OLDS, P.C. Suite 350 400 West Maple Road Birmingham, MI 48009			ART UNIT 3682	PAPER NUMBER
DATE MAILED: 09/22/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

09910591

EXAMINER

ART UNIT	PAPER
----------	-------

20040918

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Acknowledgement of Reply Brief

The reply brief filed 06-10-2004 has been entered and considered but no further response by the examiner is deemed necessary. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Marcus Charles
Marcus Charles
Primary Examiner
Art Unit: 3682
September 18, 2004



AF/3682

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pitts
Serial Number: 09/970,587
Filed: 10/04/2001
Group Art Unit: 3682
Examiner: Charles, Marcus
Title: ELEVATOR BELT ASSEMBLY WITH NOISE REDUCING GROOVE ARRANGEMENT
Attorney Docket Number: 60,469-053; OT-4987

REPLY BRIEF

Box AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is responsive to the Examiner's Answer dated May 4, 2004..

There is no *prima facie* case of obviousness. The Examiner still has not explained how one skilled in the art would be lead to make the proposed combination of the *Kokai* and *Miranti* references. Absent Applicant's own disclosure, the skilled artisan would not be led to believe that the *Miranti* arrangement of grooves that addresses noise generation as side surfaces on a V-shaped belt exit a V-shaped pulley would have any applicability or use in the *Kokai* arrangement where there is no contact between side surfaces of the belt and side surfaces of a pulley and wherein separation between the *Kokai* belt and pulley is not considered a source of possible noise. Because the added teachings of *Miranti* do not provide any benefit in *Kokai* arrangement (i.e., there is no separation-generated noise in the *Kokai* reference, which is what is addressed by the *Miranti* reference), there is no motivation for making the combination.

Reply brief noted
9/18/2004
D. Charles

RECEIVED
JUN 15 2004
GROUP 3600